| | Application No. | Applicant(s) | |
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| Notice of Allowability | 10/642,324 Examiner | NISHIUCHI ET AL. | |
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| | John P. Sheehan | 1742 | |
| The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313 | (OR REMAINS) CLOSED in thi or other appropriate communic IGHTS. This application is subj | s application. If not included ation will be mailed in due course. THIS | |
| 1. A This communication is responsive to applicants' remarks s | ubmitted December 18, 2006. | | |
| 2. The allowed claim(s) is/are <u>1-20</u> . | | * | |
| 3. Acknowledgment is made of a claim for foreign priority unal All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Japan 2001-354315. Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. A SUBSTITUTE OATH OR DECLARATION must be subminsformal PATENT APPLICATION (PTO-152) which give 5. CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date | e been received. e been received in Application Note the communication to file a received the MENT of this application. iitted. Note the attached EXAMI are reason(s) why the oath or dest be submitted. Son's Patent Drawing Review (Fig. | this national stage application from the eply complying with the requirements NER'S AMENDMENT or NOTICE OF claration is deficient. | |
| Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t | | | |
| DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT | sit of BIOLOGICAL MATERI | AL must be submitted. Note the | |
| | , . | | |
| Attachment(s) | | | |
| 1. Notice of References Cited (PTO-892) | 5. Notice of Inform | nal Patent Application | |
| 2. Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. Interview Sumr | nary (PTO-413), | |
| Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date | 7. 🛭 Examiner's Am | Paper No./Mail Date 7. ⊠ Examiner's Amendment/Comment | |
| 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. Examiner's Sta | tement of Reasons for Allowance | |
| | 9. Other | John P. Sheehan Primary Examiner Art Unit: 1742 | |

Examiner's Comment

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy of each of:

Japan 2000-344567, 11/13/2000;

Japan 2000-352306, 11/30/2000;

Japan 2001-054252; 02/28/2001;

Japan 2001-271414 09/07/2001; and

Japan 2001-307819 10/03/2001

has been filed in parent Application No. 09/986,390, filed on November 8, 2001.

The Examiner acknowledges receipt of the certified translation of Japanese application 2001-354315, 11/20/2001 submitted April 18, 2006. However, applicants are advised that a certified copy of the priority document 2001-354315, 11/20/2001 has not been received.

Examiner's Comment Regarding Applicants' Remarks Submitted December 18, 2006

2. Applicants are advised that the Examiner has given no weight to the data set forth in the X-ray fluorescence analysis attached to applicants' response submitted December 18, 2006 in that said data is not in declaration or affidavit form.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Sheehan whose telephone number is (571) 272-1249. The examiner can normally be reached on T-F (6:45-4:30) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John P. Sheehan Primary Examiner Art Unit 1742